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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

N.Z., R.M., B.L., S.M., and A.L.,
individually and on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

FENIX INTERNATIONAL LIMITED,
FENIX INTERNET LLC, BOSS
BADDIES LLC, MOXY
MANAGEMENT, UNRULY AGENCY
LLC (also d/b/a DYSRPT AGENCY),
BEHAVE AGENCY LLC, A.S.H.
AGENCY, CONTENT X, INC., VERGE
AGENCY, INC., AND ELITE
CREATORS LLC,

Defendants.

Case No. 8:24-cv-01655-FWS-SSC

Hon. Fred W. Slaughter

**PLAINTIFFS' NOTICE OF
INTENT TO SEEK LEAVE TO
FILE CORRECTIVE BRIEFS
REGARDING ECF NOS. 138, 141,
AND 158**

Complaint filed: July 29, 2024

1 TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF
2 RECORD:

3 Plaintiffs N.Z., R.M., B.L., S.M., and A.L. (collectively, “Plaintiffs”), hereby
4 file this Notice of Intent to Seek Leave to File Corrective Briefs regarding ECF
5 Nos. 138, 141, and 158 (“Notice”) to correct the issues raised by Defendants Fenix
6 International Limited and Fenix Internet LLC (collectively, “Fenix”).

7 1. Plaintiffs have reviewed and investigated the issues raised by Fenix in
8 ECF Nos. 164 and 165, filed on August 18, 2025, regarding hallucinated citations
9 and parentheticals in Plaintiffs’ responsive briefs filed on July 17 and August 11,
10 2025.

11 2. On August 19, 2025, Plaintiffs’ counsel requested a meet and confer
12 with Fenix’s counsel.

13 3. On August 20, 2025, Plaintiffs’ counsel conferred with Fenix’s
14 counsel via Zoom, under Local Rule 7-3, to explain what had occurred to cause the
15 errors and to meet and confer about whether Fenix opposes Plaintiffs’ forthcoming
16 Motion for Leave to File Corrective Briefs (“Motion”).

17 4. Fenix opposes Plaintiffs’ forthcoming Motion for Leave to File
18 Corrective Briefs.

19 5. Under Local Rule 7-3, Plaintiffs cannot file their Motion until August
20 27, 2025.

21 6. Given the seriousness of the issues raised by Fenix, Plaintiffs wanted
22 to alert the Court that they will be responding as soon as possible, and are ready to
23 respond earlier if the Court requests.

24 7. Plaintiffs’ Motion will include redlines of the proposed corrective
25 briefs,¹ as well as declarations that will detail exactly what occurred to cause these

¹ In reviewing and correcting the briefs, Plaintiffs’ counsel have tried to correct the briefs in a way that will not be prejudicial to Fenix, have not added any new arguments, and have deleted several arguments, which will benefit Fenix.

1 issues and identify what undersigned counsel will do differently to ensure that this
2 does not happen again in the future.

3 8. To preview the issue for the Court, Hagens Berman's co-counsel (who
4 has not filed a notice of appearance in this case) was tasked with drafting portions
5 of the briefing, as well as compiling, editing, and assisting with finalizing the
6 briefing. Co-counsel was dealing with the extended hospice care and the eventual
7 death of a parent on August 14, 2025, which unbeknownst to undersigned counsel
8 was taking up a significant amount of her time. To avoid missing the filing
9 deadlines, she turned to AI for help without informing Hagens Berman (Hagens
10 Berman has a policy against the use of this type of AI and Hagens Berman is aware
11 of the Court's order on the issue). Because of her role in finalizing the briefs and
12 her history of reliability, Hagens Berman's review of her work was not thorough
13 enough and failed to catch her use of AI. Hagens Berman takes full responsibility
14 for those failures.

15 9. If requested by the Court, Plaintiffs are prepared to file their Motion
16 and supporting declarations before August 27, 2025.

17 DATED: August 21, 2025

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Robert B. Carey

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